

16 March 1970

Dear John,

I take it you were in Vietnam during Chau's trial, though perhaps not his arrest. Was the Time story right on that? (i.e., dragging him down the back steps by the heels, bumping his head on the steps, etc.) The stories here of both arrest and trial were gruesome: though Chau seems to have handled himself very well in both, and got good press coverage. The trouble is, I'm no longer so confident that good press in the US assures him against physical harm--perhaps the opposite. (The tougher Thieu is on Chau in public--if he gets away with it--the stronger the message to other oppositionists of Thieu's resolution, and US support of Thieu no matter what). In other words, I'm worried about Chau's life. Should I be? I would be glad to have reassurance on this. Will he be in Chi Hoa, where I take it he can be visited, or in Con Son? Will you, Ev, or Sauvageot be permitted to visit him? His daughter?

I was on CBS morning news commenting on the effects of Chau's treatment on the prospects of negotiations. I was interviewed at length by Lee Lescaze and Dick Dudman on the general implications; I emphasized the inferences to be drawn by Vietnamese and others on the appearance of acquiescence by the US. I have since become quite well informed on the traffic on Chau, and that knowledge doesn't change any of my earlier guesses (I could fill you in on this if you're interested, and if it's prudent to do so via this channel). Disgraceful performance by Bunker particularly. At neither end was there any mention of any possible impact of the circumstances of Chau's arrest or trials other than bad public relations effects on Congress (Fulbright) or journalists like Kraft. I take it that the Embassy preferred to send back a series of tranquillizing messages, appearing credulously to be accepting assurances by Thieu, Khiem, Quang and Thang at face value, than to ring any alarms that might have caused Washington to direct Bunker to see Thieu earlier than he did or to use more forceful language. Result: an appearance of being "surprised" by Thieu's decision to arrest Chau (rather than to be content, for the time being, with the court decision in absentia, or to wait for Supreme Court rulings).

Some questions right now:

1. Is the Supreme Court actually considering any of the petitions? (Thieu claims 6 of the 46 signers of the Lower House petition removed their names, so the Court is not obliged to rule on the Constitutionality of the petition. He denies that any signers of the petition to remove Chau's immunity removed their names or claimed forgery.). Is it likely to rule? When? What?
2. Will the Court rule on the appropriateness of the (evidently absurd) charge of "flagrante delicto," on the basis of which Chau was arrested in the Assembly?
3. Will the Court rule on any of the defense petitions concerning the trial?
4. What is Embassy reaction to statement of Minister Tuong at March 6 press conference that Chau might not have been prosecuted if Embassy had confirmed his allegations that he had reported his contacts to the US? (The Embassy claims AP misquoted Tuong on this, that he didn't go that far--is this true?--but admits he said that if we now confirmed these contacts, it would be taken into account). Would this not reopen the possibility of a pardon, if the Embassy were now to do so? (Bunker, I'm told, proposed to tell the press only that Chau had made "veiled references to a high Hanoi official," but that no Ambassador had authorized

or encouraged any contact. It was pointed out to him by Washington that this conflicted with your story, and would give rise to controversy.)

5. Is there any chance of Assembly investigation of bribery or threats in connection with the petition?

6. Why do you think Thang and the court pressed this story about collusion at Tet? (This got State and Embassy much more upset than any other aspect of the case, naturally. They're "baffled." My guess is that they were trying to scare off the US from supporting Chau publicly, or more forcefully privately, and especially deterring us from revealing the contacts with us publicly; as well as warning other oppositionists that dealings with the US would not protect them from suppression.)

I have just been asked by the "New York Times Magazine Section to do 4000 words on Chau as a person, giving his background, past dealings with me and other US officials, some circumstances of the case and its significance. I enclose some notes I dictated rapidly before a recent visit to Washington, essentially ~~expanding~~ expanding comments I had been giving to reporters on the possible significance. This aspect of the case would require an article in itself, and is not what the Times wants to emphasize in this piece; I might do one separately on it, and would ~~be~~ desperately welcome comments by you and Ev (please show it to Ev, and anyone else at your discretion).

But on background, and the case itself and its aftermath: you can imagine how anxious I am to get immediately any help you, Ev, Sauvageot, or anyone else can give me: with anecdotes, chronologies (e.g., events at Vung Tau; events concerning Hien's arrest and whole aftermath), remembered quotes on Chau's thoughts and views, documents from Chau, accounts of his dealings with Americans. I'm on a very short deadline--it should be in by March 27--so it would be helpful to get whatever you can send as soon as you get this. (But keep it coming; I may miss the deadline anyway and would still be able to use it: or in different pieces.)

What will be helpful to Chau from here? I will be sending the proceeds from the Times piece--\$750 if they accept it--for Chau's family. How can I best do this? Are they confiscating his property or not? If so, what needs doing for his wife and children? (Incidentally, you might mention, discreetly, that this piece will contribute to Chau's family as an inducement to those who could be helpful with anecdotes, facts, etc.

Fulbright may write a letter to the ^President, urging him in turn to write Thieu or make a public statement. (Fat chance). It is clear that the publicity and hearings here were entirely responsible for State pressure on the Embassy to "show concern"; however, that pressure wasn't strong enough to cause Bunker to transmit it effectively.

I'm hoping that further publicity and pressure here may cause the USG to insist that Supreme Court judgments in Chau's favor be carried out, if there are any. It may also encourage Assembly members to take actions. (which will go beyond, I hope, 15-minute recesses and 6-day~~x~~ vegetarian diets, two of the more dramatic responses so far). I felt strongly enough about the need to write an article that I was prepared to leave RAND to do it, if necessary; but present indications are that it won't be necessary. (What the reaction will be, we'll see).

Please warn me of anecdotes involving you that you are anxious not to see in print. I presume I can get away with "leaks" from the closed hearings. (without mentioning them). How about the story you told me, of the crisis at Vung Tau? I would not, of course, mention any contingency plans. How about the June affair, with Khiem, etc? I'd like to tell that in some detail; what are the facts, if you wouldn't mind?

So...how are your relations there? Along with thinking about Chau, I've been feeling sympathetic for your position, having to deal with Khiem and Thieu, Bunker and Shackley (who, according to Cook, takes along with Bunker the attitude, "Chau's getting what he deserved.") That would be hard for me to do, at this point, after that arrest and trial, and especially knowing something of what they were telling Washington throughout. I'm sure you were as tormented as I would have been by the desire to drive a jeep into that courtroom, with a ~~sack~~ sackfull of grenades, to get him out of there. What now? On their attitude to you, how do they balance your "indiscretions" with your sterling testimony on the President's policy?

I hear that Kissinger may not really be very informed about the case at all. Why not write him a detailed account?

Different subject: Thank you very much for sending the bracelet. I know what you mean about not finding more expensive ones made up; however, they do make up bracelets very quickly (in an hour) out of a strand of pearls, and I had assumed that was what could be done. After thinking about it, I believe I would rather wait for a chance to get her some larger pearls, made up into three strands rather than four; these are goodlooking, but they're smaller than I want. I'll hang onto them, as you suggest, till you can give them to Mary Jane; or I'll send them to her if you want, or to you. Or I'd be glad to pay you for them.

How does Lee like her present? Sounds as if she'd have to rely on it, for a while, after your visit to Japan.

I ~~was~~ have been in a pretty turbulent state of mind since the second sentencing. Once more, I was facing the question whether I could justify working within the system any further, i.e., maintaining any association with the US Government. A mutual journalist friend, to whom I had only one minute to talk on the phone, said: "I have one question for you. Should John Vann have resigned from the government over Chau?" (This was not an interview). I said: "That's a hard question. We'll know better in about a month or two." No doubt we will. God knows you did everything that could possibly be done--even going outside the rules--from the inside.

How would you describe Chau's "message"? Has it changed over the years? How does it look to you now? Can you imagine his discussions with his brother now? (Do you have any further material on Hien: statements, interrogations, background? Are they likely to be in the same cell, by the way?) How much of the current pacification program shows Chau's influence, or is in line with his ideas?

Sir Robert Thompson was through here, after three days in Saigon. I missed him, but talked to him for three minutes on the phone. He said of Chau: "I had great affection for him and admired him as a province chief. But of course he's very guilty." Of what; of seeing his brother? "Oh no, it goes far beyond that; and the information comes entirely from American sources." He couldn't say what it was;

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but commented on "Some many of these fellows, who think they are going to solve the way on their own..." Thompson, of course, informed everyone here that Chau was indeed guilty. (The traffic, needless to say, has no hint of this).

I'll get this off now. Please take this seriously--unless, indeed, you have reason to think I should lay off entirely, ~~xx~~ for Chau's sake or your own (in which case, of course, I would). That is, please get back comments as soon as possible on the enclosed memo on significance of Chau's arrest, and still more, your recollections on Chau. Maybe you could spend an evening dictating, either to your secretary or just to a tape recorder. And send comments from anyone else appropriate: Ev, Sauvageot, maybe Ton That Thien or Dr. Dan, etc.

Yours,